

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,421

IN THE MATTER OF:

Served June 23, 2008

FON PIUS NDE, Trading as PIUSMED	)	Case No. MP-2007-187
WORLD TRANSPORT, Suspension and	)	
Investigation of Revocation of	)	
Certificate No. 1327	)	


This matter is before the Commission on respondent's request for reconsideration of Order No. 11,362, served May 15, 2008, which assessed a \$250 civil forfeiture against respondent and revoked Certificate No. 1327.

Under Title II of the Compact, Article XIII, Section 4(a), an application for reconsideration of a Commission order must be filed within thirty days of its publication and state specifically the errors claimed as grounds for reconsideration. The application for reconsideration was timely filed on June 2, 2008, but does not allege any error on the part of the Commission. The application therefore is denied.<sup>1</sup>

In any event, as Order No. 11,362 noted, the documents in question were being sought to ascertain whether respondent had continued operating after Certificate No. 1327 was suspended September 17, 2007. Respondent still has not adequately addressed that question. On the contrary, a statement from one of respondent's clients filed in support of the application for reconsideration states that their contract with respondent did not end until October 2007 and that respondent's performance under the contract was not at issue. This would appear to indicate that respondent continued operating after being suspended. It certainly does not support a finding that applicant ceased operating after being suspended.

THEREFORE, IT IS ORDERED: That the application for reconsideration is denied without prejudice to respondent's right to reapply for operating authority at a later date.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:

  
William S. Morrow, Jr.  
Executive Director

<sup>1</sup> See *In re C&M Tour & Transp., Inc.*, No. MP-96-43, Order No. 4913 (Aug. 20, 1996) (denying reconsideration where no error alleged and new evidence not supportive of respondent on merits).